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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,921	12/10/1999	MOHAMMAD PEYRAVIAN	P-4541.001	9480

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COATS & BENNETT, PLLC  
P O BOX 5  
RALEIGH, NC 27602

EXAMINER
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MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/458,921	<b>Applicant(s)</b> PEYRAVIAN ET AL.	
	<b>Examiner</b> Aravind K. Moorthy	<b>Art Unit</b> 2131	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-28 and 47-50 is/are allowed.
- 6) ☒ Claim(s) 29-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This is in response to the arguments filed on 13 January 2006.
2. Claims 1-50 are pending in the application.
3. Claims 29-46 have been rejected.
4. Claims 1-28 and 47-50 have been allowed.

### *Response to Arguments*

5. Applicant's arguments with respect to claims 29-46 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 29-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Bisbee et al US 2001/0002485.**

As to claim 29, Bisbee et al discloses a method for time stamping a document comprising:

- a. receiving a time stamp request at an outside agency at a first time, the time stamp request including identifying data associated with the document [0073-0076];

- b. creating at the outside agency a time stamp receipt based on the identifying data and a time indication [0073-0076]; and
- c. generating at the outside agency a message authentication code based on the time stamp receipt and a secret key [0088-0090]; and
- d. transmitting the time stamp receipt and the message authentication code to the requestor [0088-0090].

As to claim 30, Bisbee et al discloses that the identifying data comprises a digital representation of at least a portion of the document [0073].

As to claim 31, Bisbee et al discloses that the identifying data comprises a digital sequence derived by application of a deterministic function to at least a portion of the document [0073].

As to claim 32, Bisbee et al discloses that the digital sequence is a hash value derived by application of a one-way hashing function to at least a portion of the document [0073].

As to claim 33, Bisbee et al discloses that the time stamp receipt includes a copy of at least a portion of the identifying data concatenated with the time indication [0088-0090].

As to claim 34, Bisbee et al discloses that the time stamp receipt includes a digital sequence derived from the identifying data concatenated with the time indication [0098].

As to claim 35, Bisbee et al discloses that the time stamp request further includes an identification number associated with the requestor [0098].

As to claim 36, Bisbee et al discloses that the message authentication code comprises a numeric representation generated by application of a deterministic function to the time stamp receipt and the secret key concatenated together [0099-0102].

As to claim 37, Bisbee et al discloses generating a second message authentication code based on the first message authentication code and a second secret key [0099-0102].

As to claim 38, Bisbee et al discloses transmitting the second message authentication codes to the requestor [0099-0102].

As to claim 39, Bisbee et al discloses the step of encrypting the first secret key to generate an encrypted key [0069].

As to claim 40, Bisbee et al discloses transmitting the encrypted key to the requestor [0069].

As to claim 41, Bisbee et al discloses a method for time stamping documents comprising:

- a. receiving at an outside agency a certification request, the certification request including a time stamp receipt and a message authentication code generated on the time stamp receipt [0073-0076];
- b. validating the message authentication code at the outside agency using a secret key [0088-0090];
- c. certifying the time stamp receipt if the message authentication code is valid using a cryptographic signature scheme [0088-0090].

As to claim 42, Bisbee et al discloses that the step of certifying the time stamp receipt includes signing the message authentication code at the outside agency using a cryptographic signature scheme [0088-0090].

As to claim 43, Bisbee et al discloses that the step of certifying the time stamp record includes signing the time stamp receipt at the outside agency using a cryptographic signature scheme [column 5, lines 12-23].

As to claim 44, Bisbee et al discloses including the step of transmitting the certified time stamp receipt to the requestor [0088-0090].

As to claim 45, Bisbee et al discloses that certifying the time stamp receipt at the outside agency comprises signing the time stamp receipt with a private signature key [0088-0090].

As to claim 46, Bisbee et al discloses that certifying the time stamp receipt at the outside agency comprises signing the message authentication code with a private signature key [0088-0090].

*Allowable Subject Matter*

**7. Claims 1-28 and 47-50 are allowed.**

As to claim 1, prior art does not disclose or fairly teach e. receiving a certification request at the outside agency at a second time, the certification request including the time stamp receipt and the message authentication code. Prior art does not disclose or fairly teach f. validating the message authentication code at the outside agency using the secret key. Prior art does not disclose or fairly teach g. certifying the time stamp receipt at the outside agency using a cryptographic signature scheme if the message authentication code is valid.

As to claim 15, prior art does not disclose or fairly teach d. encrypting the first secret key with a second secret key to generate a key message. Prior art does not disclose or fairly teach e. generating a second message authentication code based on the first message authentication code and the first secret key using a third secret key. Prior art does not disclose or fairly teach f. transmitting the time stamp receipt, the first message authentication code, the second message authentication code, and the end key message to the requestor. Prior art does not disclose or fairly teach g. receiving at the outside agency at a second time a certification request, the

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certification request including the time stamp receipt, the first message authentication code, the second message authentication code, and the encrypted key message. Prior art does not disclose or fairly teach h. decrypting at the outside agency the encrypted key message to recover the first secret key. Prior art does not disclose or fairly teach i. validating the second message authentication code at the outside agency using the third secret key. Prior art does not disclose or fairly teach j. validating the first message authentication code at the outside agency using the first secret key if the second message authentication code is valid. Prior art does not disclose or fairly teach k. certifying the time stamp receipt at the outside agency using a cryptographic signature scheme if the first message authentication code is valid.

Any claims not directly addressed are allowed on the virtue of their dependency.


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*Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy   
October 13, 2005

CHRISTOPHER REVAK  
PRIMARY EXAMINER

  
2/25/06